



IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

RALPH A. SCEARCE, #311869,
Petitioner,)

v.)

CAROL WALLACE, WARDEN,
Respondent.)

Civil Action No. 7:05-CV- 00292

FINAL ORDER

By: Hon. Glen E. Conrad
United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the petition for habeas corpus, pursuant to 28 U.S.C. § 2254, shall be and hereby is
DISMISSED as untimely, pursuant to 28 U.S.C. § 2244(d)(1) and this action is hereby stricken from
the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying
memorandum opinion to petitioner and to counsel of record for the respondent.

ENTER: This 11th day of May, 2005.

[Signature]
UNITED STATES DISTRICT JUDGE